

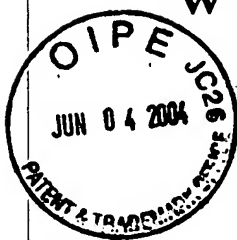
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EXPRESS MAIL LABEL NO. EV 382 947 423 US

PATENT APPLICATION

Docket No: 15436.437.6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

James Allen Cox

Serial No.:

10/037,010

) Art Unit

Confirmation No.:

5683

) 2828

Filed:

December 31, 2001

For:

TUNABLE LASER USING A
GUIDED-MODE RESONANT
GRATING FILTER

Examiner:

Hung T. Vy

Customer No.:

022913

TRANSMITTAL FOR SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

— Statement of relevance of selected cited references not in the English language which are not translated.

— Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.

* Admitted only in California

† Admitted only in New York

____ Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

X Form PTO-1449 listing seven (7) references submitted for consideration.

X Copies of seven (7) of the references listed on the Form PTO-1449.

____ English translations of ____ (_____) of the references listed on the Form PTO-1449 which are not in the English language.

____ Copies of the following documents from the prosecution of a previous, related application:

____ Form PTO-1449 AND INFORMATION DISCLOSURE STATEMENT; and

____ Form PTO-892

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

I. ____ Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.

II. ____ Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of

Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:

☐ Promptness Certification; or

☐ Check No. _____ in the amount of \$180.00 constituting the submission fee set forth in 37 C.F.R. § 1.17(p).

☐ Authorization to charge deposit account no. 23-3178 for payment of any fee required in relation to filing of this letter or any documents transmitted therewith.

III. ☒ After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

☐ Promptness Certificate;

☐ Petition for Consideration; and

☐ Check No. _____ in the amount of \$ _____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

☒ Authorization to charge deposit account no. 23-3178 for payment of any fee required in relation to filing of this letter or any documents transmitted therewith.

IV. ☐ After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

☐ Petition to Withdraw from Issue; and

☐ Check No. _____ in the amount of \$ _____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178. A duplicate copy of this letter is enclosed.

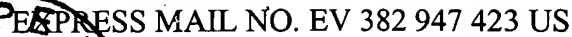
- X Any fee required in relation to filing of this letter or any documents transmitted therewith.
- X The submission fee set forth in 37 C.F.R. § 1.17(p) in the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. § 1.97(e).
- X The submission fee set forth in 37 C.F.R. § 1.17(p).
- X The petition fee set forth in 37 C.F.R. § 1.17(i)(1).

Dated this 4th day of June, 2004.

Respectfully submitted,



ERIC L. MASCHOFF
Attorney for Applicant
Registration No. 36,596
Customer No. 022913



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

James Allen Cox

Art Unit

2828

TUNABLE LASER USING A GUIDED-MODE RESONANT GRATING FILTER

Hung T. Vy

022913

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

DATED this 4th day of June, 2004.

Respectfully submitted,



ERIC L. MASCHOFF
Attorney for Applicant
Registration No. 36,596
Customer No. 022913

ELM:dmh
DMS0000006618V001

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				Docket Number (Optional)		Application Number	
				15436.437.6		10/037,010	
				Applicant(s) James Allen Cox			
				Filing Date		Group Art Unit	
				December 31, 2001		2828	

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1	6,091,504	7/18/00	Walker et al.	356	437	5/21/98
	2	6,274,879	8/14/01	Best-Timmann	250	573	8/20/99

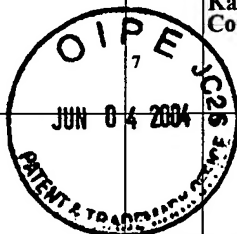
U.S. PATENT APPLICATION PUBLICATIONS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
	3	EP 1139523 A2	10/4/01	EPO	H01S	5/14	✓	
	4	56126994 - ABSTRACT	10/5/81	JP	H01S	3/10	✓	

OTHER DOCUMENTS		(Including Author, Title, Date, Pertinent Pages, Etc.)
5		Heim, P.J.S. et al., "Single-angled-facet laser diode for widely tunable external cavity semiconductor lasers with high spectral purity," Electronics Letters, IEE Stevenage, GB, vol. 33, no. 16, July 31, 1997, pages 1387-1389.
6		Magnusson, R., et al., "New principle for optical filters," Applied Physics Letters, American Institute of Physics, New York, U.S., vol. 61, no. 9, August 31, 1992, pages 1022-1024.

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>		Docket Number (Optional) 15436.437.6	Application Number 10/037,010
		Applicant(s) James Allen Cox	
		Filing Date December 31, 2001	Group Art Unit 2828
*EXAMINER INITIAL	OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>		
	Kazharsky, Oleg, et al., "Broad Continuous Frequency Tuning of a Diode Laser with an External Cavity," Optics Communications, North-Holland Publishing Co., Amsterdam, NL, vol. 137, no. 1-3, April 15, 1997, pages 77-82.		
EXAMINER		DATE CONSIDERED	
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			